

- MINUTES -
UTAH AIR QUALITY BOARD MEETING
JULY 3, 2002

I. Call to Order

David George called the meeting to order at 1:35 p.m.

Board members in attendance:

David B. George
Ernest E. Wessman
Dannie R. McConkie

John M. Veranth
Richard R. Olson
James R. Horrocks

Dianne R. Nielson
Jeffrey K. Utley
Wayne M. Samuelson

Executive Secretary: Richard W. Sprott

II. Date of the Next Air Quality Board Meeting

The next meeting of the Board will be held Wednesday, August 7, 2002, at 1:30 p.m.

III. Approval of the Minutes of the June 5, 2002, Board Meeting

John Veranth requested a correction to the minutes. Regarding Lehi Cogen's emissions credits, the record should show that Mr. Veranth asked Fred Nelson to clarify whether the decisions made on the SIP would have any impact on the State's ability to negotiate the dispute over the banked emissions.

Hannie Moeller will insert Mr. Veranth's request for clarification into the minutes of the June 5 Board meeting.

Rick Sprott mentioned that, since the last Board meeting, he has signed a banking order, which gives Lehi Cogen those credits.

Jeff Utley made the motion to approve the minutes of the June 5, 2002, Board meeting.
Dannie McConkie seconded the motion. The motion passed.

IV. Election of Chair and Vice Chair of the Board

Dannie McConkie made the motion to re-elect David George as chair by acclamation. The motion was seconded and passed.

Richard Olson made the motion to re-elect John Veranth as vice chair by acclamation. The motion was seconded and passed.

V. Approval Order Modification: Chevron – Replacing SIP-listed Equipment and Other Changes

Presenter: Tim Andrus, Environmental Engineer

Chevron has requested a modification of one of its approval orders for the refinery. The modification includes the replacement of two boilers with one larger boiler, addition of a new wastewater tank, and a transfer of SO₂ emissions from the refinery's SO₂ cap to the sulfur recovery unit. The overall refinery emissions will remain unchanged. This modification went to public comment; only Chevron provided comments.

Staff recommends approval of this modification.

John Veranth expressed objections to condition 7 of the approval order. Condition 7 states that "Regardless of any inconsistency between conditions of this AO and Section IX, Part H, and paragraph 2.b.G (Section IX.H.2.b.G) (Chevron U.S.A.) of the SIP, this AO shall take precedence as provided by R307-305-2." R307-305-2 refers specifically to PM₁₀, but condition 7 is general. R307-305-2 does not say that the AO should take precedence over the SIP. R307-305-2 deals with specific limitations which are not specified in the SIP. Mr. Veranth suggested striking the condition from the approval order.

Mr. Andrus responded that this condition has been part of the "boiler plate" for a long time. When the SIP was initially submitted, it was understood between DAQ and the EPA that approval orders for SIP sources would be the means for modifying the SIP. This condition has been in every SIP source's approval order for many years.

Rick Sprott stated that when the New Source Review program was approved, there was a procedure set up so that the state could bundle changes in AOs and annually submit a SIP revision to EPA for consideration. Normally, the way a SIP condition is changed is through a SIP revision. What has been set up in the PM₁₀ SIP for Utah is a complete Catch 22. The SIP reads like a mega permit with literally hundreds of conditions, which is unrealistic in trying to manage a traditional SIP context, in which there is a fairly lengthy state and federal regulatory process to make changes like this. Recognizing this, EPA, when they approved the New Source Review program the last time, set up this arrangement whereby these changes would be submitted. This was done in 1996 and 1997 for Utah and Salt Lake Counties respectively. For a variety of reasons, EPA chose not to act on those. Those are part of the unacted upon SIP revisions that are in a backlog at EPA. The legalistic EPA solution to strict processing simply is unworkable in the context of the current SIP. DAQ has agreed, through the maintenance plan, to clean up the SIP revisions and make those consistent and traditional with a normal SIP. A state plan should be broad, general, and establish standards and some emissions limits, but not to the limits in the current SIP. That way, there are limits and broad standards in the SIP that protect the NAAQS. This rule provides for DAQ to go through a process with the Air Quality Board to provide an increased level of scrutiny to AOs for SIP sources, and then theoretically, they'd be bundled up at the end of the year. In lieu of that, the SIP for both counties will be reworked so that this problem can be avoided in the future. In the meantime, the problem is still there, and as Tim mentioned, the overall emissions from the source do not increase. There is not an impact on the attainment plan, and that's really the key here. These kinds of changes do not impact or threaten public health or attainment of the NAAQS.

Fred Nelson noted that because the original PM₁₀ SIP included a large appendix which would have to be changed periodically as sources modified and sources did testing even to determine what the actual numbers were, there was a provision put in the rule that has allowed for the modification to come to the Board. The State has always considered the SIP to include both that rule modification provision and the

SIP section. The State is operating within what the SIP provided. EPA struggles with that and it has to be fixed.

John Veranth mentioned that another problem is that 307 specifically deals with PM10, whereas condition 7 could be construed as dealing with SOx and NOx, which is the bigger problem with this AO. It seems that the rule cited in condition 7 doesn't say what the AO tries to make it say.

Tim Andrus stated that this particular approval order is a direct descendant from Chevron's portion of that appendix in the SIP, and in those sections, they did cover PM10 as well as SOx and NOx as precursors. So all three were covered in the PM10 SIP.

Kathy Van Dame of the Wasatch Clean Air Coalition asked if she was correct in thinking that at some point the AOs are not going to have a SIP-trumping clause, and how is it that these clauses will come out of the AOs, because the AOs don't come back on any kind of basis unless the source re-opens them?

Fred Nelson stated that subsequently promulgated rules and SIPs change existing AOs. The AOs need to be consistent with the newly promulgated revised PM10 SIP, and if they are not, then the new provisions will control. The new rules and the new SIP will be the controlling documents.

Mr. Andrus clarified the typographical changes:

- * Condition 10: "Plant Gas for Boiler #11005: EF = 0.0069 lbs/MMBtu" will be removed.
- * Condition 21: "Reformer Furnace F-2...100 lb/mmssc" should read "100 lb/mmssc."
- * Condition 23: "Reformer Compressor Drivers" will be removed.

Nina Dougherty of the Sierra Club wanted to know if this transfer of emissions would result in an increase in actual emissions.

Tim Andrus stated that the AO deals with allowables; not actuals. The refinery's annual limit is being changed; the daily limit is not. They have had the ability to operate at that level on a daily basis, which is what the modeling is based on. The emissions being dealt with in the transfer are being moved from the refinery's SO2 cap to the sulfur recovery unit. The location of the emissions may change, but the quantity of emissions shouldn't be affected.

MOTION: Richard Olson made the motion to approve the modification. Jim Horrocks seconded the motion. The motion passed with one abstention.

VI. Propose for Public Comment: Amend R307-220-4 and Designated Facilities Plan Section III, Plan for Small Municipal Waste Combustion Units

Presenter: David Hansell, Environmental Engineer

Dannie McConkie declared a conflict on this issue and will not be voting.

Wasatch Energy Systems is the only affected facility in Utah. Several changes are being proposed:

- * Removal of the reference to the consent order
- * Change the compliance schedule for all pollutants. For all pollutants, except CO, the compliance date will be changed from October 6, 2002, to May 13, 2002. That's six months earlier than required by the current state plan and two and one-half years earlier than required by the emission guidelines.
- * Compliance for CO will be a two-step process: Between May 13, 2002, until one year after the date of EPA's approval of the plan, the CO limit will be 100 ppm over a 24-hr. geometric average. On and after one year after EPA's approval of the plan, the CO limit will be 100 ppm over a 4-hr. arithmetic average.

Several other minor changes are being made to ensure consistency between the plan and federal guidelines and to correct some reference errors.

Staff recommends that these changes be proposed for public comment.

MOTION: Jeff Utley made the motion to take this item to public comment. John Veranth seconded the motion. The motion passed with one abstention.

VII. Final Adoption: Amend R307-110-10 and State Implementation Plan Section IX, Part A, Fine Particulate Matter (PM10) for Utah County

Presenters: Bill Reiss, Environmental Engineer; Dave McNeill, SIP Section Manager

Mountainland Association of Governments (MAG) submitted comments on this item stating that Table IX.A.28 should be labeled as Tons/Winter Day and not per Winter Week Day. It became apparent that there was a disconnect between what was in the SIP and information going into the technical support document. There was no clear support for how the table should be labeled.

The issue has been resolved, and the parties have agreed that the table should be changed to read Tons/Winter Day as requested by MAG.

MOTION: Jim Horrocks made the motion to adopt this item. Richard Olson seconded the motion. The motion passed.

VIII. Request for Variance: Parametric Testing at Intermountain Generating Station

Presenter: Jim Holtkamp, representing Intermountain Power

In order for a Title V renewal application to be processed in a timely manner by the Division of Air Quality, the issue with regard to the compliance assurance monitoring needs to be cleared up. The plant proposes to perform environmental testing to ascertain any correlation between changes in certain operating parameters and corresponding changes in particulate emissions from the stack. Specifically, to track how particulate emissions increase when baghouse efficiencies decrease. By doing this, DAQ and Intermountain can be certain, on a continuous basis, when particulate emissions may exceed permit limits based upon certain parametric criteria such as opacity and baghouse performance.

This testing will be done at a maximum of eight hours per day for seven days starting possibly August 6, 2002.

MOTION: John Veranth made the motion to approve the variance. Ernest Wessman seconded the motion. The motion passed.

IX. Appointment of Hearing Officer for Salt Lake Valley Solid Waste Management Facility

The waste management facility is appealing a notice of violation and requests a hearing before the Board. John Veranth volunteered to be the hearing officer.

X. Information Items

A. Compliance Activities – Jeff Dean, Manager, Compliance Section

John Veranth asked how often someone from DAQ goes on “dust patrol.” Jeff Dean responded that inspectors do not routinely go on dust patrol. They go out when complaint calls are received. Anyone witnessing a construction dust problem can call DAQ and an inspector will follow up.

B. HAPS Compliance Activities – Bryce Bird, Manager, HAPs Section

No questions or comments.

C. Monitoring Activities – Bob Dalley, Manager, Air Monitoring Center

Rick Sprott mentioned that the Division had a press conference with participation from Mayor JoAnn Seghini and Dr. Wayne Samuelson to promote the “Choose Clean Air” program. This is being piloted with hopes of a more ambitious program in the future. This program provides choices to the public if not driving is not an option.

Mr. Sprott thanked Dr. Samuelson and Mayor Seghini for their excellent work in helping to promote this program.

Bob Dalley discussed recent ozone readings. Mr. Dalley mentioned that the Brigham City monitor had an exceedance. The cause could be persistent south winds blowing from urban areas, or possibly local sources.

D. SIPs Update – Dave McNeill, Manager, SIPs/Rules Section

On July 1, EPA published the final approval of the Salt Lake County PM10 SIP revision to demonstrate conformity in Salt Lake County. The SIP revision becomes effective July 31, 2002.

XI. Miscellaneous

Rick Sprott brought attention to a document entitled *Wildfire Smoke – A Guide for Public Health Officials*. Preliminary work is being done to create a Web site and have in place other public health and outreach actions should there be significant fires that encroach upon populated areas.

The meeting adjourned at 2:40 p.m.